

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT JAMES SWINT,

Plaintiff,

-against-

VERIZON WIRELESS; D.O.D.
(DEPARTMENT OF DEFENSE),

Defendants.

1:23-CV-4067 (LTS)

BAR ORDER UNDER
28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff filed this action *pro se*. On July 27, 2023, the Court dismissed this action as frivolous and, in light of his litigation history, directed Plaintiff, within 30 days, to show cause by declaration why the Court should not bar him from filing any future civil action in this court *in forma pauperis* (“IFP”) without first obtaining permission from the court to do so. (ECF 5.) On August 24, 2023, Plaintiff filed a “motion for the objection” (ECF 6), but his arguments against imposing the filing bar, to the extent that he presents any in that submission, are insufficient. Plaintiff asserts that the reasons for his objections to the filing bar are “they almost caused a mass hello cost. What started out as . . . credi[ble] info, very credible, [the Department of Defense] acts like they were moving in [f]or the raid, they end up getting involved in the human trafficking operation, . . . never leave, then . . . set up shop as ‘the combined force. *[sic]*’” (*Id.*) The Court views Plaintiff’s submission as unresponsive to the Court’s concerns in its July 27, 2023 order. Accordingly, the Court will issue the filing bar.

CONCLUSION

The Court hereby bars Plaintiff from filing any future civil action in this court IFP without first obtaining permission from the court to do so. *See* 28 U.S.C. § 1651. Plaintiff must attach a copy of his proposed complaint and a copy of this order to any motion for permission to

file IFP. The motion, like his complaint and IFP application, must be filed with the Pro Se Intake Unit of this court. If Plaintiff violates this order and files an action in this court IFP without filing a motion for permission to file IFP, the Court will dismiss that action for failure to comply with this order.

The Court warns Plaintiff that the continued submission of frivolous documents may result in the imposition of additional sanctions, including monetary penalties. *See id.*

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to enter judgment for this action.

SO ORDERED.

Dated: October 3, 2023
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge